



# House of Representatives

General Assembly

**File No. 121**

January Session, 2013

House Bill No. 5515

*House of Representatives, March 25, 2013*

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING RESIDENTIAL STAYS AT CORRECTIONAL FACILITIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 18-101b of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) Any inmate of a correctional facility under the authority of the  
4 Department of Correction, involved in a departmental program for  
5 drug dependent inmates or in a departmental work or education  
6 release program, may request that he be allowed to remain in a  
7 correctional facility for up to ninety days beyond his parole release or  
8 discharge date.

9 (b) Any inmate of a correctional facility under the authority of the  
10 Department of Correction may request that he be allowed to remain in  
11 a correctional facility for up to thirty days beyond his discharge date  
12 (1) if such inmate is scheduled to be discharged to a treatment program  
13 or health care institution but the program or institution is unable to

14 accept the inmate on the scheduled discharge date, or (2) for any  
15 compelling reason deemed consistent with offender rehabilitation or  
16 treatment.

17 [(b)] (c) Any person under the jurisdiction of the Department of  
18 Correction, involved in a program operated by a state department  
19 other than the Department of Correction, may request that he be  
20 allowed to remain in such program for up to ninety days beyond his  
21 parole release or discharge date.

22 [(c)] (d) Any inmate requesting permission to remain in a  
23 correctional facility, as provided in subsection (a) or (b) of this section,  
24 or any person requesting permission to remain in a program, as  
25 provided in subsection [(b)] (c) of this section, shall submit such  
26 request, in writing, to the Commissioner of Correction not later than  
27 one week prior to the scheduled date for the inmate's parole release or  
28 discharge.

29 [(d)] (e) Any inmate receiving permission to remain in a correctional  
30 facility or any person receiving permission to remain in a program  
31 operated by a state department other than the Department of  
32 Correction beyond his scheduled date for parole release or discharge  
33 may be charged a reasonable daily fee by the appropriate department  
34 while [said inmate is] housed in a facility of [said] such department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	18-101b

**JUD**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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### **OFA Fiscal Note**

#### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 14 \$</b>	<b>FY 15 \$</b>
Correction, Dept.	GF - Cost	Less than \$7,000	Less than \$7,000

**Municipal Impact:** None

#### **Explanation**

The bill results in a potential cost of less than \$7,000 annually by expanding eligibility for certain inmates to remain in a correctional facility beyond the end of their sentence. Residential stays under existing law are utilized very infrequently, and the bill is not anticipated to affect more than one to two inmates on an annual basis. The average cost to incarcerate an inmate for 30 days is \$3,500. Any such costs would be partially mitigated to the extent that a per diem fee is charged to the inmate.

#### **The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

*Sources: FY 2012 Department of Correction Average Inmate Daily Expenditure*

**OLR Bill Analysis****HB 5515*****AN ACT CONCERNING RESIDENTIAL STAYS AT CORRECTIONAL FACILITIES.*****SUMMARY:**

This bill extends to more inmates the opportunity to remain at a correctional institution beyond a maximum sentence term. It allows inmates to ask to remain in a correctional facility for up to 30 days after their discharge date (1) if the treatment program or health care institution to which they are to be discharged is unable to accept them on the discharge date or (2) for any compelling reason consistent with their rehabilitation or treatment. By law, unchanged by the bill, inmates participating in a state program or a Correction Department drug, work, or education release program may request an extended stay of up to 90 days.

As under current law, inmates seeking an extended stay must make the request in writing at least one week before their scheduled release. By law, the correction commissioner may charge inmates granted permission to stay a reasonable daily fee.

EFFECTIVE DATE: July 1, 2013

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 39      Nay 0      (03/13/2013)